

Walter O'Cheskey
 Chapter 13 Trustee
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IN THE UNITED STATES BANKRUPTCY COURT
 NORTHERN DISTRICT OF TEXAS
 WICHITA FALLS DIVISION

IN RE:

STEPHEN PATRICK COUVILLION
 TIFFANY MICHELLE COUVILLION

CASE NO: 12-70275-HDH-13
 HEARING DATE: 5/15/2013
 HEARING TIME: 10:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND
 PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
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II.

SPECIFIC OBJECTIONS

No Objections

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
SECURED CREDITORS							
008 0	KIRKLAND FED CREDIT UNION	2011 TOYOTA SIENNA	\$34,417.32	\$34,418.00	3.99%	57	\$698.21 PAID BY TRUSTE
Claim term is extended from 55 to 57 months. See Trustee's Modification below.							
009 0	TOYOTA MOTOR CREDIT CORPORATION	2010 TOYOTA TACOMA	\$21,619.67	\$22,051.00	3.30%	57	\$428.72 PAID BY TRUSTE
Claim term is extended from 55 to 57 months. See Trustee's Modification below.							
010 0 *	LORRAINE DOMINGUEZ	1600 QUESTA RD NE, RIO RANCHO, SANDOVAL CO, NM 87	\$0.00	\$184,917.00			SURRENDERED
011 0 *	USAA FSB	1600 QUESTA RD NE, RIO RANCHO, SANDOVAL CO, NM 87	\$0.00	\$42,172.00			SURRENDERED
012 0 *	WELLS FARGO	1600 QUESTA RD NE, RIO RANCHO, SANDOVAL CO, NM 87	\$155,848.05	\$184,917.00			SURRENDERED
014 0 *	CAPITAL ONE NA	PURCHASES/BEST BUY	\$1,510.19	\$1,510.19	8.00%	57	\$40.43 PAID BY TRUSTE
Debt provided as unsecured; claim filed as secured. See Trustee's Modification below.							

UNSECURED GENERAL CREDITORS

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
013 0 U	BECKET & LEE LLP	\$5,302.48	015 0 U	SALLIE MAE INC	\$10,633.74
	PURCHASES/AMERICAN EXPRESS CENTURION BANK			STUDENT LOAN	
016 0 U	PRA RECEIVABLES MANAGEMENT	\$3,032.67	017 0 U	GE CAPITAL RETAIL BANK	\$698.06
	PURCHASES/JC PENNEY			PURCHASES/ROOMS TO GO GECRB GEMB	
018 0 U	KIRKLAND FED CREDIT UNION	\$14,638.53	019 0 U	BECKET & LEE LLP	\$392.14
	PURCHASES			PURCHASES/\$0 AMT CAPITAL ONE KOHLS	

020 0 U	Case 12-70275-hdh13 Doc 27 Filed 03/07/13	\$1,636.00	021 0 U	Entered 03/07/13 16:09:10	Page 2 of 4
	GE CAPITAL RETAIL BANK			USAA FEDERAL SAVINGS BANK	\$13,586.99
036 0 U *	BECKET & LEE LLP	\$1,893.33	044 0 U *	PURCHASES SALLIE MAE INC	\$28,132.84

PURCHASES/GEMB SAMS
PURCHASES/AMERICAN EXPRESS
Not provided for in confirmed plan.

PURCHASES
STUDENT LOAN
Not provided for in confirmed plan.

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely response or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

IV.

TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

Captial One's \$1,510.19 secured claim, clerk's claim #12, shall be fully secured and paid 8% interest over 57 months with monthly payments of \$40.43. The plan term and creditor terms have been extended from 55 to 57 months. Beginning 8/16/2012 debtor shall make 57 payments of \$1,309.00; for a total plan contribution of \$74,613.00

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 5/15/2013 AT 10:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

LIVE: US COURTHOUSE ROOM 222, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 3/8/2013

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

AMERICAN EXPRESS AMERICAN EXPRESS SPECIAL RESEARCH PO BOX 981540 EL PASO TX 79998
BECKET & LEE LLP ATTORNEYS AT LAW 16 GENERAL WARREN, PO BOX 3001 MALVERN PA 19355
CAP1-BSTBY PO BOX 5253 CAROL STREAM IL 60197
CAPITAL ONE NA C/O BASS & ASSOCIATES PC 3936 E FT LOWELL RD SUITE 200 TUCSON AZ 85712
CAPITAL ONE/BEST BUY C/O BASS & ASSOCIATES PC 3936 E FT LOWELL ROAD SUITE #200 TUCSON AZ 85712
DEPT OF ED-SALLIE MAE PO BOX 9635 WILKES BARRE PA 18773
GE CAPITAL RETAIL BANK ATTN BANKRUPTCY DEPT 2650804-10774103 PO BOX 960061 ORLANDO TX 32896
GE CAPITAL RETAIL BANK C/O REC MGM SYS CORP 2650658-10774103 25 SE 2ND AVENUE SUITE 1120 MIAMI FL 33131
GEMB JCP ATTN BANKRUPTCY DEPT PO BOX 103104 ROSWELL GA 30076
GEMB/ROOMS TO GO ATTN: BANKRUTPCY PO BOX 103104 ROSWELL GA 30076
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA PA 19101
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101
JC PENNEY PO BOX 533 DALLAS TX 75221
KIRKLAND FED CREDIT UNION PO BOX 80570 ALBUQUERQUE NM 87198
KIRKLAND FEDERAL CREDIT UNION ALDRIDGE GRAMMER & HAMMAR PA 1212 PENNSYLVANIA NE ALBUQUERQUE NM 87110
KIRTLAND FEDERAL CR UN 498 KIRTLAND AFB W ALBUQUERQUE NM 87117
KIRTLAND FEDERAL CR UN KIRTLAND AFB ALBUQUERQUE NM 87117
KOHLS/CAPONE PO BOX 3115 MILWAUKEE WI 53201
LORRAINE DOMINGUEZ SANDOVAL COUNTY TREASERER PO BOX 40 BERNALILLO NM 87004
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541
SALLIE MAE INC DEPARTMENT OF EDUCATION PO BOX 740351 ATLANTA GA 30374
SALLIE MAE INC ON BEHALF OF TGSLC PO BOX 83100 ROUND ROCK TX 78683
SALLIE MAE INC TGSLC PO BOX 659602 SAN ANTONIO TX 78265
SAMS CLUB GEMB ATTENTION: BANKRUPTCY DEPARTMENT PO BOX 103104 ROSWELL GA 30076
SHELBY & JASON BELL 4154 CANDLEWOOD CIR WICHITA FALLS TX 76308
STEPHEN PATRICK COUVILLION & TIFFANY MICHELLE COUVILLION 4154 CANDLEWOOD CIRCLE WICHITA FALLS TX 76308
TOYOTA MOTOR CREDIT CO TOYOTA FINANCIAL SERVICES PO BOX 8026 CEDAR RAPIDS IA 52408
TOYOTA MOTOR CREDIT CORPORATION PO BOX 8026 CEDAR RAPIDS IA 52408
TOYOTA MOTOR CREDIT CORPORATION PO BOX 9490 CEDAR RAPIDS IA 52409
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530
USAA FEDERAL SAVINGS BANK C/O WEINSTEIN & RILEY PO BOX 3978 SEATTLE WA 98124
USAA FEDERAL SAVINGS BANK C/O WEINSTEIN AND RILEY PS 2001 WESTERN AVENUE STE 400 SEATTLE WA 98121
USAA FSB 10750 MC DERMOTT SAN ANTONIO TX 78288
USAA SAVINGS BANK PO BOX 47504 SAN ANTONIO TX 78265
WELLS FARGO BANK ATTN BK DEPT MAC #D3347-014 3476 STATEVIEW BLVD FORT MILL SC 29715
WELLS FARGO HM MORTGAGE PO BOX 10335 DES MOINES IA 50306
WELLS FARGO ONE HOME CAMPUS / MAC # X2302-04C BK PMT PROCESSING DES MOINES IA 50328